

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RESHAN SAVAGE BEY,

Petitioner,

v.

JUDGE DONNA M. WOELPPER, et al.,

Respondents.

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CIVIL ACTION

No. 20-cv-05103-HB

ORDER

AND NOW, this 25th day of January, 2021, upon careful and independent consideration of Reshan Savage Bey’s Petition for Writ of Habeas Corpus (Doc. No. 1), the Respondents’ response in opposition (Doc. No. 10), the Report and Recommendation of U.S. Magistrate Judge Richard A. Lloret (Doc. No. 11), petitioner’s “Notice of Objection to Response from The District of Attorney’s Office” (Doc. No. 12), and petitioner’s “Notice of Objection to Report and Recommendation” (Doc. No. 13), it is ORDERED that:

1. The Report and Recommendation of Magistrate Judge Richard A. Lloret is **APPROVED** and **ADOPTED**;
2. Mr. Bey’s Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED** without prejudice by separate Judgment, filed contemporaneously with this Order. *See* Federal Rule of Civil Procedure 58(a); Rules Governing Section 2254 Cases in the United States District Courts, Rule 12;
3. No certificate of appealability shall issue under 28 U.S.C. § 2253(c)(1)(A) because “the applicant has [not] made a substantial showing of the denial of a constitutional right[.]” under 28 U.S.C. § 2253(c)(2), since he has not

demonstrated that “reasonable jurists” would find my “assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see United States v. Cepero*, 224 F.3d 256, 262-63 (3d Cir. 2000), *abrogated on other grounds by Gonzalez v. Thaler*, 565 U.S. 134 (2012); and

4. The Clerk of Courts shall mark this file closed.

BY THE COURT:

/s/ Harvey Bartle III

HON. HARVEY BARTLE III
U.S. DISTRICT JUDGE